



ROBINSON MCFADDEN
ATTORNEYS AND COUNSELORS AT LAW

175002
S.A.
ROBINSON, MCFADDEN & MOORE P.C.

COLUMBIA | GREENVILLE

July 29, 2005

HAND DELIVERY

Mr. Charles Terreni, Chief Clerk
Public Service Commission of South Carolina
Post Office Drawer 11649
Columbia, South Carolina 29211

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7/29/05
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Frank R. Ellerbe, III

1901 MAIN STREET, SUITE 1200

POST OFFICE BOX 944

COLUMBIA, SOUTH CAROLINA 29202

PH
(803) 779-8900

FAX
(803) 252-0724

**Re: Generic Proceeding to Explore a Formal Request for Proposal
Process for Utilities that are Considering Alternatives for Adding
Generating Capacity
Docket No. 2005-191-E**

Dear Mr. Terreni:

Enclosed for filing on behalf of NewSouth Energy LLC, please find a petition to intervene in the above referenced matter. By copy of this letter, I am serving the same on all parties of record. Please stamp the extra copy provided as proof of filing and return it in the envelope provided.

Should you have any questions, please do not hesitate to contact me.

Yours truly,

ROBINSON, MCFADDEN & MOORE, P.C.

Frank R. Ellerbe, III

FRE/mfc
Enclosures

cc/enc: Len S. Anthony, Esquire
Kendal Bowman, Esquire
Richard L. Whitt, Esquire
William F. Austin, Esquire
Patricia B. Morrison, Esquire
Belton T. Zeigler, Esquire
C. Dukes Scott, Esquire

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**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

DOCKET NO. 2005-191-E

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2005 JUL 22 PM 3:25
FILED

In re:

**Generic Proceeding to Explore a
Formal Request for Proposal Process
for Utilities That Are Considering
Alternatives for Adding
Generating Capacity**

**PETITION TO INTERVENE
OF NEWSOUTH ENERGY LLC**

NewSouth Energy LLC, ("NewSouth") hereby petitions the Public Service Commission of South Carolina ("Commission") pursuant to 26 S.C. Regs. Sections 103-830, 103-836, and other applicable rules, for permission to intervene in the above-captioned proceeding. In support of this Petition, NewSouth would show the following:

1. NewSouth is a Delaware limited liability company, headquartered in Atlanta, Georgia. It is an indirect subsidiary of Calpine Corporation and is responsible for the marketing and sales, state regulatory, and communications functions that support Calpine's assets in South Carolina. The South Carolina plants include the Broad River Energy Center in Gaffney and the Columbia Energy Center in Sandy Run.

2. NewSouth's authorized representatives in this proceeding are as follows:

Frank R. Ellerbe, III
Bonnie D. Shealy
Robinson, McFadden & Moore, P.C.
1901 Main Street, Suite 1200
Post Office Box 944
Columbia, South Carolina 29202
Telephone: (803) 779-8900
Facsimile: (803) 252-0724

3. During South Carolina Electric and Gas Company's ("SCE&G") last rate case, Docket No. 2004-178-C, Columbia Energy LLC, another indirect subsidiary of Calpine Corporation, proposed that the Commission initiate a rulemaking proceeding on competitive bidding to require SCE&G to undertake a competitive bidding process as a means to procure additional capacity resources. In Order No. 2005-2, the Commission determined that the use of a formal competitive solicitation process, under appropriate circumstances, could produce low-cost, reliable power resources for South Carolina consumers. The Commission decided to open a generic proceeding to explore a formal request for proposal ("RFP") process for utilities that are considering adding generating capacity.

4. On July 12, 2005, the Commission issued a notice establishing this generic proceeding to explore a formal RFP process.

5. NewSouth sells and markets electricity on the wholesale market in South Carolina and neighboring states. As such, NewSouth has a direct interest in this proceeding. NewSouth's intervention will aid the Commission by assisting in the development of a full and fair record to address the issues raised in this proceeding.

6. NewSouth supports the promulgation of regulations which would require an RFP process for all jurisdictional electric utilities that are considering adding generating capacity.

7. NewSouth is informed and believes that granting its request to be made a party of record in the above-captioned proceeding is in the public

interest, is consistent with the policies of the Commission in encouraging maximum public participation in the issues before it, and should be allowed so that a full and complete record addressing the views and concerns of NewSouth can be developed.

WHEREFORE, NewSouth prays for the following relief:

A. That this petition to intervene be granted by the Commission and that NewSouth be made a formal party of record to the proceeding;

B. That NewSouth be allowed to participate fully in this proceeding and to take such positions as it deems advisable; and

C. That such other and further relief be granted as is just and proper.

Dated this 29th day of July, 2005.

ROBINSON, McFADDEN & MOORE, P.C.



Frank R. Ellerbe, III
Bonnie D. Shealy
1901 Main Street, Suite 1200
Post Office Box 944
Columbia, SC 29202
fellerbe@robinsonlaw.com
bshealy@robinsonlaw.com
Telephone: (803) 779-8900
Facsimile: (803) 252-0724

Attorneys for NewSouth Energy LLC

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2005-191-E

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2005 JUL 27 PM 3:25
COLUMBIA

In Re:)
)
Generic Proceeding to Explore a)
Formal Request for Proposal)
Process for Utilities That Are)
Considering Alternatives for Adding)
Generating Capacity)
_____)

CERTIFICATE OF SERVICE

This is to certify that I, Mary F. Cutler, a legal assistant with the law firm of Robinson, McFadden & Moore, P.C., have this day caused to be served upon the person(s) named below the **Petition to Intervene of NewSouth Energy LLC** in the foregoing matter by placing a copy of same in the United States Mail, postage prepaid, in an envelope addressed as follows:

Len S. Anthony, Esquire
Progress Energy Service Company, LLC
Post Office Box 1551
Raleigh, NC 27602

Kendal Bowman, Esquire
Progress Energy Service Company, LLC
Post Office Box 1551
Raleigh, NC 27602

William F. Austin, Esquire
Austin, Lewis & Rogers, P.A.
P.O. Box 11716
Columbia, SC 29211


Richard L. Whitt, Esquire
Austin, Lewis & Rogers, P.A.
Post Office Box 11716
Columbia, SC 29211

Patricia Banks Morrison, Esquire
1426 Main St., Legal Dept. 130
Columbia, SC 29218

Belton T. Zeigler, Esquire
Law Office of Belton T. Zeigler
1122 B. Barnwell Street
Columbia, SC 29201

C. Dukes Scott, Esquire
Office of Regulatory Staff
1441 Main Street, 3rd Floor
Columbia, SC 29201

Dated at Columbia, South Carolina this 29th day of July 2005.


Mary E. Cutler